

57TH REGULAR SESSION

powers and duties of public office, except members of the Legislature, the incumbents of which may become unavailable."

"AGAINST the Constitutional Amendment empowering the Legislature to insure continuity of state and local governmental operations in periods of emergency resulting from disasters caused by enemy attack by providing for the prompt and temporary succession to the powers and duties of public office, except members of the Legislature, the incumbents of which may become unavailable."

Sec. 3. The Governor of Texas shall issue the necessary Proclamation for the election and this Amendment shall be published in the manner and for the length of time required by the Constitution and laws of this state.

Passed the Senate, May 19, 1961: Yeas 25, Nays 5; May 27, 1961, Senate concurred in House amendment: Yeas 28, Nays 1; passed the House, May 27, 1961, with amendment: Yeas 118, Nays 15, 1 present not voting.

Filed without Governor's signature, June 17, 1961.

PROPOSED CONSTITUTIONAL AMENDMENT—ZONING POWERS—DELEGATION TO CERTAIN COUNTIES

S.J.R. No. 19

Proposing an amendment to Article IX of the Constitution of the State of Texas to add a new Section to be known as Section 1-A which permits the Legislature to delegate certain zoning powers to the governing body of any county bordering on the Gulf of Mexico or the tidewater limits thereof.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Article IX of the Constitution of the State of Texas be amended by adding thereto a new Section, immediately following Section 1, to be known as Section 1-A which shall read as follows:

"Section 1-A. The Legislature may authorize the governing body of any county bordering on the Gulf of Mexico or the tidewater limits thereof to regulate and restrict the speed, parking and travel of motor vehicles on beaches available to the public by virtue of public right and the littering of such beaches.

"Nothing in this amendment shall increase the rights of any riparian or littoral landowner with regard to beaches available to the public by virtue of public right or submerged lands.

"The Legislature may enact any laws not inconsistent with this Section which it may deem necessary to permit said counties to implement, enforce and administer the provisions contained herein.

"Should the Legislature enact legislation in anticipation of the adoption of this amendment, such legislation shall not be invalid by reason of its anticipatory character."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday after the first Monday in November, 1962, at which election all ballots shall have printed thereon the following:

"FOR the Constitutional Amendment authorizing the Legislature to delegate limited zoning powers to any county bordering on the Gulf of Mexico or the tidewater limits thereof.

RESOLUTIONS

"AGAINST the Constitutional Amendment authorizing the Legislature to delegate limited zoning powers to any county bordering on the Gulf of Mexico or the tidewater limits thereof."

Sec. 3. The Governor of Texas shall issue the necessary proclamation for the election and this amendment shall be published in the manner and for the length of time as required by the Constitution and laws of this state.

Passed the Senate, March 28, 1961: Yeas 26, Nays 3; May 8, 1961, Senate concurred in House amendments: Yeas 26, Nays 1, 1 present not voting; passed the House, May 3, 1961, with amendments: Yeas 131, Nays 13.

Approved May 18, 1961.

PROPOSED CONSTITUTIONAL AMENDMENT—CREATION OF HOSPITAL DISTRICTS IN CERTAIN COUNTIES

S. J. R. No. 22

Proposing an amendment to Article IX of the Constitution of the State of Texas, by adding a new Section thereto to be known and described as Section 11, providing that the Legislature may authorize the creation of hospital districts in Ochiltree, Castro, Hansford and Hopkins Counties, each district to be co-extensive with the limits of such county, authorizing the levying and rates of taxes; providing for the acquisition of land and properties for hospital uses, as well as the maintenance and operation of the same; and authorizing the issuance of tax bonds for the purpose of the purchase, construction, acquisition, repair or renovation of improvements; and further providing that any enabling Acts shall not be invalid because of their anticipatory character.

Be it resolved by the Legislature of the State of Texas:

Section 1. Article IX of the Constitution of the State of Texas is amended by adding thereto a new Section to read as follows:

"Section 11. The Legislature may by law authorize the creation of hospital districts in Ochiltree, Castro, Hansford and Hopkins Counties, each district to be coextensive with the limits of such county.

"If any such district is created, it may be authorized to levy a tax not to exceed Seventy-five Cents (75¢) on the One Hundred Dollar (\$100) valuation of taxable property within the district; provided, however, no tax may be levied until approved by a majority vote of the participating resident qualified property-taxpaying voters who have duly rendered their property for taxation. The maximum rate of tax may be changed at subsequent elections so long as obligations are not impaired, and not to exceed the maximum limit of Seventy-five Cents (75¢) per One Hundred Dollar (\$100) valuation.

"If such tax is authorized, no political subdivision or municipality within or having the same boundaries as the district may levy a tax for medical or hospital care for needy individuals, nor shall they maintain or erect hospital facilities, but the district shall by resolution assume all such responsibilities and shall assume all of the liabilities and obligations (including bonds and warrants) of such subdivisions or municipalities or both. The maximum tax rate submitted shall be sufficient